REMARKS

The application has been carefully reviewed in light of the Office Action dated November 29, 2005. Claims 7 to 10, 12, 13, and 186 to 190 are in the application, with Claims 7 and 8 being independent. Claims 7, 8, and 188 have been amended to improve form and readability. Reconsideration and further examination are respectfully requested.

Claims 12, 186, and 188 to 190 were rejected under 35 U.S.C. § 112, second paragraph. The rejection is respectfully traversed.

Applicants respectfully submit that one skilled in the art would understand the meaning of the terminology recited in Claim 12. In particular, Applicants respectfully submit that one skilled in the art would understand that the other of R^1, R^2 and R^3 in formula [1] is one of the following: a hydrogen atom; a halogen atom; a sulfonate group; an amino group; a styryl group; a nitro group; a hydroxyl group; a carboxyl group; a cyano group; a substituted alkyl group; an unsubstituted alkyl group; a substituted cycloalkyl group; an unsubstituted cycloalkyl group; -A; and -L-A. "A" and "L" are further defined in Claim 12.

Claims 7 to 10, 12, 13, and 186 to 190 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,156,506 (Yamamoto '506). These claims were also rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,022,961 (Yamamoto '961). The rejections are respectfully traversed.

Claims 7 and 8 recite, *inter alia*, detecting chemiluminescence from said chemiluminescent compound associated with said double-stranded nucleic acid, with the detected chemiluminescence being indicative of said target single-stranded nucleic acid.

Yamamoto '506 and Yamamoto '961 are not believed to disclose or suggest at least the above-discussed feature.

Yamamoto '506 and Yamamoto '961 describe that a pyrylium compound is associated with a double-stranded nucleic acid, and that fluorescence or phosphorescence from the pyrylium compound is detected. However, Applicants submit that fluorescence and phosphorescence are different from chemiluminescence. Fluorescence and phosphorescence involve luminescence resulting from radiation absorption, whereas chemiluminescence involves luminescence resulting from a chemical reaction.

The dependent claims set forth additional aspects of the present invention and are dependent from the independent claims discussed above. Therefore, separate and individual consideration of each dependent claim is respectfully requested.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

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